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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,853	07/17/2000	Thomas C. Naratil	4034-22	8319

7590 08/29/2003

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EXAMINER

AKERS, GEOFFREY R

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 08/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/617 953

Applicant(s)

Novati

Examiner

Akers, g

Art Unit

362x

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 7/17/00
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3624

### DETAILED ACTION

1. Claims 1-15 have been examined.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 USC as unpatentable over Broka(US Pat. No: 5,809,483) in view of Buist(US Pat. No: 6,408,282) in view of TYX(1999) and further in view of CS Trading(1999)("CS").

4. As per claims 1-15 Broka teaches online transaction processing for bond trading (Abstract)(Figs 1-58)(col 1 line 56-col 2 line 10) including issuing trade reports,quote functions, and message handling(Fig 1) and logging services,event timing services(Fig 5) as well as service control(Fig 7). Broka also teaches using user id(Fig 8)(Fig 9) and a quote managment system and trade managment systgem(Fig 10)(Fig 11) as well as and trade reports with volumes(Fig 13) and executions(Fig 14) and a bond pricing system(Fig 17a/17b) and a quote system(Fig 18a/18b) and a quote book(Fig 20a) and a market view system(Fig 25).Broka also teaches a ticket window(Fig 28) and a study of the inside bid/ask and sizes(Fig 30) as well as a browse report(Fig 38) and institutional and dealer trading activity in the fixed income markets(Fig 48).Buist teaches a

Art Unit: 3624

system for trading securities over the Internet both on national exchanges and outside national exchanges to obtain the best bid and offer(Abstract)(Fig 1-62)(col 6 line 16-48 et. Seq.), as well as sets of workstations for users to access broker/dealer databases(Fig 1) as well as maintaining a dealer's order book(Fig 3) and a visual quote and order book display(Fig 5A) and appropriate news affecting market prices(Fig 5B) as well as open orders(Fig 7) and trading tickets(Fig 11) and charting trading activity(Fig 14) as well as a user accessing a website for trading(Fig 17) as well as trading securities(Fig 21) and cancelling orders(Fig 24) and view of open orders(Fig 27) and review of account history(Fig 36) and balances(Fig 37) and the national market real time quote(Fig 56). TYX(1999) teaches treasury bond and treasury STRIP trading techniques(pages 2-3). CS teaches history of trading in treasury strips(page 1-2)and appropriate yield calculations(page 4).It would have been obvious to one skilled in the art at the time of the invention to combine Broka in view of Buist in view of TSY and further in view of CS to teach the disclosure.The motivation to combine Broke in view of Buist is to teach an automated electronic trading system in fixed income instruments that utilizes the national best offer/bid market on the Internet as enunciated by Buist for after hours trading(col 2 lines 57-60).disclosure.The motivation to combine Broke in view of Buist in view of TSY is to teach an automated electronic trading system in fixed income instruments that utilizes the national best offer/bid market on the Internet as enunciated by Buist and is applied to treasury strips and treasury bond trading.The motivation to combine Broke in view of Buist in view of TSY and further in view of CS is to teach an automated electronic trading system in fixed income and

Art Unit: 3624

highly liquid instruments that utilizes the national best offer/bid market on the Internet and is applied to treasury strips and treasury bonds and which will provide an ascertainable bond yield.

***Conclusion***

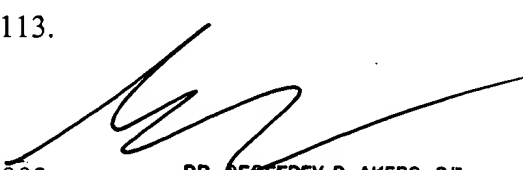
**5. THIS ACTION IS MADE NON-FINAL.**

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6. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

August 25, 2003

  
DR. GEOFFREY R. AKERS, P.E.  
PRIMARY EXAMINER